

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>DIEGO FRAUSTO,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 10-1363</b>
	)	
<b>v.</b>	)	<b>Judge Zagel</b>
	)	
<b>IC SYSTEM, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**AGREED MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTIONS**

Plaintiff respectfully requests that the Court extend the time within which the parties may file their summary judgment papers from March 17, 2011, to March 31, 2011. In support of this motion, plaintiff states:

1. Plaintiff's complaint alleges violations of the Telephone Consumer Protection Act.
2. In an order dated October 6, 2010, the Court directed the parties to file a complete set of briefs in support of their cross-motions for summary judgment by January 27, 2011. In an order dated January 6, 2011, the court granted the parties an extension until March 3, 2011 to file the briefs. The order adopted the parties' proposed service schedule, which provided that the opening briefs in support of the cross-motions would be served on February 3, 2011, the response briefs would be served on March 3, 2011, and all briefs would be filed on March 3, 2011. (Docket # 25).
3. Counsel for the parties served the opening briefs and supporting documents on February 3, 2011, in accordance with the service schedule. The parties previously requested and were granted an extension from March 3, 2011, to March 17, 2011.

4. An urgent family matter has arisen as to plaintiff's counsel concerning counsel's pregnant wife, who has fallen ill, such that counsel will likely have to provide intermittent care for her which has, and will, interrupt the time that otherwise would be dedicated to finalizing plaintiff's brief. Plaintiff's counsel is a solo practitioner, and cannot delegate the drafting of the summary judgment papers to another lawyer.

5. Plaintiff therefore respectfully requests a fourteen day extension of time, up to and including March 31, 2011, for both parties to file their briefs relating to the cross-motions for summary judgment.

6. Defendant's counsel has agreed to the extension sought in this motion.

WHEREFORE, Plaintiff respectfully requests that the Court extend the time within which the parties may file their summary judgment papers from March 17, 2011, to March 31, 2011.

Respectfully submitted,

/s/Alexander H. Burke

**BURKE LAW OFFICES, LLC**

155 N. Michigan Ave., Suite 9020

Chicago, IL 60601

(312) 729-5288

(312) 729-5289 (fax)

[ABurke@BurkeLawLLC.com](mailto:ABurke@BurkeLawLLC.com)

[www.BurkeLawLLC.com](http://www.BurkeLawLLC.com)